



Comparison of Powers

The below table summarizes some of the key differences between second class cities, code cities, and towns. **First class cities** are not listed as their powers and structures are derived from their charters, which vary depending on the city.

Powers	Code City	Second Class City	Town
Home Rule Authority	Broad authority in all matters of local concern.	Only those powers expressly or implicitly granted by legislature.	Only those powers expressly or implicitly granted by legislature.
Construction of powers	Requires liberal construction of powers granted to it.	Governed by rule of strict construction of powers granted to it.	Governed by rule of strict construction of powers granted to it.
Limits of Power	All powers granted to any class of city and any not specifically denied.	Only powers granted specifically to this class or all classes.	Only powers granted specifically to this class or all classes.
Actions at Special Meetings	Any if proper notification given.	No action for the payment of money allowed.	No action for the payment of money allowed.
Emergency Clauses	Authority to include in most types of ordinances for protection of public health, safety, property, or peace.	Specific authority only for emergency expenditures in specified situations.	Specific authority only for emergency expenditures in specified situations.
Appointment of Councilmember Pro Tem	Authority in the event of an extended excused absence or disability of a councilmember.	No specific authority.	No specific authority.
Mayor Pro Tem Term Limit	2 years.	2 years.	6 months.
Mayoral Veto Power Over Ordinances*	Yes.	Yes.	No.
Mayor Has Tie-breaking Vote*	Yes, except on issues of payment of money or franchises.	No.	Yes, except on issues of payment of money or franchises.
Council Confirmation of Mayoral Appointments*	May require if no qualifications for office established.	May require for appointment of clerk, treasurer, or attorney.	Not allowed for any appointive officers.

Powers	Code City	Second Class City	Town
Planning Governance	May adopt a planning commission or a planning department, person, staff, or body, and may provide for an alternative in event of a conflict.	Must adopt a planning commission of 3-12 members.	Must adopt a planning commission of 3-12 members.
Initiative and Referendum	May adopt	May not adopt.	May not adopt.
Annexation Petition Signature Requirement	Qualified electors equal to 10% of votes cast at last state general election.	Qualified electors equal to 20% of votes cast at last state general election.	Qualified electors equal to 20% of votes cast at last state general election.
Allowance of Wards	Yes with no restrictions.	Yes with a maximum number of wards permitted.	Cannot have wards.
Ordinance Effective Date	Five days after publication.	Five days after publication.	Immediately upon publication.

** Only applies in mayor-council form of government.*